

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID J. EASTON,

Defendant.

**No. 10-CR-4084-DEO**

**ORDER  
ACCEPTING REPORT AND  
RECOMMENDATION CONCERNING  
GUILTY PLEA**

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**I. INTRODUCTION AND BACKGROUND**

On September 3, 2010, a four count Information with forfeiture allegation (Docket No. 2) was filed in the above-referenced case. The specific facts contained in the Information will not be repeated, but they are adopted by reference as if fully set out herein, and are made a part hereof. The Information charges as follows: Counts 1 and 2, Health Care Fraud, in violation of 18 U.S.C. §1347; Count 3, Money Laundering, in violation of 18 U.S.C. §1957; and Count 4, Aggravated Identity Theft, in violation of 18 U.S.C. §1028A(1)(a).

On September 17, 2010, defendant David J. Easton appeared before Chief United States Magistrate Judge Paul A. Zoss and entered a plea of guilty to Counts 1, 2, 3, and 4 of the

Information. In the Report and Recommendation (Docket No. 11, 09/17/2010), Chief United States Magistrate Judge Paul A. Zoss recommends that defendant David J. Easton's guilty plea be accepted. No objections to Judge Zoss's Report and Recommendation were filed. The Court, therefore, undertakes the necessary review to accept defendant David J. Easton's plea in this case.

## **II. ANALYSIS**

### **A. Standard of Review**

Pursuant to statute, this Court's standard of review for a magistrate judge's Report and Recommendation is as follows:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate [judge].

28 U.S.C. § 636(b)(1). Similarly, Federal Rule of Civil Procedure 72(b) provides for review of a magistrate judge's Report and Recommendation on dispositive motions and prisoner petitions, where objections are made as follows:

The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional

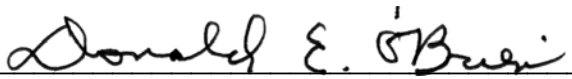
evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the recommendation decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.

FED. R. CIV. P. 72(b).

In this case, no objections have been filed, and it appears to the Court upon review of Chief Magistrate Judge Zoss's findings and conclusions that there are no grounds to reject or modify them.

**IT IS THEREFORE HEREBY ORDERED** that this Court accepts Chief Magistrate Judge Zoss's Report and Recommendation (Docket No. 11), and accepts defendant David J. Easton's plea of guilty in this case to Counts 1, 2, 3, and 4 of the Information filed on September 3, 2010 (Docket No. 2).

**IT IS SO ORDERED** this 30th day of November, 2010.

  
Donald E. O'Brien, Senior Judge  
United States District Court  
Northern District of Iowa